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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: **MB Docket No. 04-160**

Petition for Declaratory Ruling by the National Association of Broadcasters
Regarding Programming Carried by Satellite Digital Audio Radio Services

Dear Ms. Dortch:

For the first time ever, I am writing to the Commission on my own behalf, not on behalf of a client, to comment in a proceeding before the Commission. I write to ask the Commission to deny the above-referenced Petition of the National Association of Broadcasters (NAB).

I am a subscriber to the XM Satellite Radio Inc. (XM) satellite digital audio radio service (DARS). I pay to have the service delivered to two receivers, including one in my car. Since I work long hours and spend two to three hours commuting to and from work each day, I truly value and use this service—more than any other broadcast service. I do not subscribe to any cable television or DBS television services.

I have lived in the Washington, DC metro area for almost 34 years, and I have never found the free over the air broadcast stations even collectively to offer the variety and diversity of programming that I find on XM. Moreover, since deregulation and more recently since relaxation of ownership caps began, the quality and diversity of free over the air broadcasting programming has steadily declined. Before XM, I was bored and fed up with the limited number of broadcast radio stations and selection of formats, the short playlists, the repetition, the too few news bites, and the inane and often offensive chatter of the announcers. I basically resigned myself to listening to a station that plays “news and weather on the eights” but I often sat in long and painful traffic jams because, in the one minute devoted to local traffic every ten minutes, my commuting route was never mentioned.

Now, with XM, I have the ability to listen to any kind of music (and news) that I want whenever and wherever I want. To me this is truly a public service. The recent addition of traffic and weather channels has further enhanced the value of this service. Now I can find out information on traffic and weather whenever I want wherever I am. Moreover, when I am out of range of any of the local free over the air radio channels, I still have a way to find out what the weather and traffic is like in my metro area before I make travel and route decisions. When I travel to another metro area, I do not have to try to figure out which local radio station even carries traffic and weather reports (and when) to plan my route as I arrive in that metro area (which would be a major distraction while driving). I can simply turn my XM dial to the channel that has traffic and weather for that metro area and learn what I need to know to select my route before I arrive in that metro area.

I cannot speak to any DARS service other than XM, but I think it is outrageous to even suggest that XM's traffic and weather channels are anything other than a tremendous, valuable service to the customers who pay for XM service. It would greatly disserve the public interest to restrict XM and any other DARS service from carrying such channels—and it would not make this radio listener return to free over the air radio stations. Only dramatic changes in programming offerings (and a car without XM installed yet) would induce me to do that.

Please consider these comments in the above-referenced docket.

Very truly yours,

Patricia A. Mahoney